

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 8109. Of the funds made available under the heading "Operation and Maintenance, Defense-Wide", up to \$30,000,000 may be available for financial assistance to eligible local education agencies pursuant to section 386 of Public Law 102-484.

AMENDMENT NO. 4 OFFERED BY MR. ISSA

Mr. ISSA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. ISSA:

At the end of the bill (before the short title) insert the following new section:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to disclose to the public the aggregate amount of funds appropriated by Congress for the National Intelligence Program (as defined in in section 3(6) of the National Security Act of 1947 (50 U.S.C. 401a(6))) for a fiscal year.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. ISSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Mr. Chairman, I won't need 5 minutes.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. ISSA. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. We will accept the amendment.

Mr. ISSA. Mr. Chairman, I can take "yes" for an answer. Thank you both very much.

The Issa amendment simply prevents the Intelligence portion of the DOD Appropriations bill to be made public.

The budget total for the National Intelligence Program is now authorized to be made public in a provision that was included in the conference report to H.R. 1.

No amendments were allowed during the Conference to fix this problem. The original House-passed version of H.R. 1 did not include this provision.

With so many threats to our Nation's security, it makes no sense to disclose vital information to our enemies.

Traditionally, this number has remained classified for good reason.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The amendment was agreed to.

□ 2300

AMENDMENT OFFERED BY MR. FRANKS OF ARIZONA

Mr. FRANKS of Arizona. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FRANKS of Arizona:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by reducing the amounts made available under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION—Research, Development, Test and Evaluation, Defense-wide", and increasing the amounts made available under that heading, by \$97,200,000.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FRANKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FRANKS of Arizona. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, praise is due to certain Members on the Appropriations Committee on both sides of this aisle who had the foresight and the wisdom to fund key missile defense systems in the President's budget.

We must remind ourselves that in 2006 alone there were close to 100 foreign ballistic missiles launched around the world. In an age of terrorism, when rogue states and non-State entities can acquire these dangerous missiles, we must prepare a defense for our homeland, for our deployed war fighters and for our friends and allies.

The Appropriations Committee preserved the Airborne Laser, which is a system often deemed futuristic or far-term, but as many of us know, ABL is a magnificent ballistic missile defense system that has now been built and continues to successfully meet its knowledge points. And thanks to the ingenuity and hard work of dedicated Americans, Airborne Laser will soon play a critical role in helping us to meet the evolving threat of ballistic missiles.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. FRANKS of Arizona. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. You can see the hearings we've had on this issue. We felt that the missile defense cuts we made were because of schedule more than anything else, and I appreciate your determination to put it in. We'll take another look at conference, but right now we are convinced, and you can see the hearings we've had this year. We started on January 17. We just don't feel this is necessary at this point. It was a cut made on schedule more than anything else.

Mr. FRANKS of Arizona. Mr. Chairman, are you saying that the cuts would be restored?

Mr. MURTHA. No. What I will say to you is that we'll look at it in conference, but we believe that we did the right thing. We believe we cut it because of the schedule.

Mr. FRANKS of Arizona. Mr. Chairman, you may be confused here. We're not talking about ABL here. I was just getting to the next. I was thanking you for restoring ABL.

Mr. MURTHA. No, no. We think we made the right cut because of the schedule. You understand what I'm saying? And we'll look at it in conference.

Mr. FRANKS of Arizona. Mr. Chairman, if the distinguished chairman of the appropriations committee is saying that the cuts would be restored, then I'm willing to withdraw the amendment. If that's not what he's saying, then I need to go ahead and offer the amendment.

Mr. MURTHA. They may very well be, but I can't assure you of that at this point. What I'm saying is we'll look at it in conference. We always negotiate these things. Right now, as we see it in the schedule after the hearings, the staff and the committee decided that this was a good cut.

Mr. FRANKS of Arizona. Mr. Chairman, that may be. Let me go ahead and finish here with my comments, and then I'll ask the Appropriations chairman what he feels like would be appropriate at that time.

I'm also grateful, Mr. Chairman, that we've taken vital steps for greater cooperation with Israeli ballistic missile defense because I believe that will play a critical role in future pieces of the human family.

Having said that, I'm incredibly concerned tonight that the \$97.2 million that was cut from the only existing active defense system this Nation has against intercontinental ballistic missiles is a dangerous cut. This is not a far-term system. In fact, this is not a near-term system. It is a current system and the only one we have to defend this Nation against intercontinental ballistic missiles. This \$97.2 million cut is inconsistent with even the Democrats' view on the House Armed Services Committee for their support for short-term programs and near-term programs, and it directly conflicts with the legislation passed in last year's National Defense Authorization advocating Department of Defense focus on near-term capabilities.

This amendment would restore the \$97.2 million for ground-based, mid-course defense without increasing any dollars to the Defense bill. The offset is from research and development defense-wide, which has over \$20 billion in the account.

Mr. Chairman, this country must plan on being surprised by our enemies. In 1998, intelligence experts indicated that North Korea was years away from fielding multistage rockets. That very next month they demonstrated that capability when, on July 4 of the American Independence Day, North Korea brazenly launched a long-range ballistic missile.

Americans witnessed for the first time that day their country activate a missile defense system to protect our